

SO ORDERED: September 24, 2009.




James K. Coachys
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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|-------------------------|---|--------------------------|
| IN RE: |) | |
| HEARN, JR., William L. |) | CASE NO. 09-02295-FJO-13 |
| 8362 South Retreat Lane |) | |
| Pendleton, IN 46064 |) | |
| LOGAN-HEARN, Tara |) | |
| a/k/a Tara Revers |) | |
| 8362 South Retreat Lane |) | |
| Pendleton, IN 46064 |) | |
| Debtors |) | |

ORDER GRANTING RELIEF FROM STAY
AND ABANDONMENT OF REAL ESTATE

U.S. Bank, N.A.'s ("Secured Creditor") Motion For Relief From Stay and to Abandon Real Estate, having come before the Court,

And the Court having examined said Motion and being duly advised in the premises, and having found that the Debtors herein have failed to make payments pursuant to the Chapter 13 Plan, being in material default and failing to adequately protect U.S. Bank, N.A.'s interest, and having found that said failure to make payments constitutes sufficient cause for relief from stay.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the Court that the automatic stay be, and it hereby is, lifted as to U.S. Bank, N.A., its successors and assigns, to allow U.S. Bank, N.A., its successors and assigns, to enforce its rights and remedies under applicable law, including, without limitation, proceeding with a foreclosure action on the following described real estate located in Madison County, Indiana:

LOT NUMBER 350 IN SUMMERLAKE AT SUMMERBROOK PHASE II, SECTION 4, A SUBDIVISION IN MADISON COUNTY, INDIANA, AS PER PLAT THEREOF RECORDED JUNE 27, 2003, IN PLAT BOOK 28, PAGE 80 AS INSTRUMENT 200320372, IN THE OFFICE OF THE RECORDER OF MADISON COUNTY, INDIANA.

Commonly known as: **8362 South Retreat Lane, Pendleton, IN 46064-8572.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that said real estate is abandoned from the bankruptcy estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that such Order shall bind Debtors in any conversion of the above-entitled bankruptcy proceeding, as to the interest of U.S. Bank, N.A., its successors and assigns in the above-described property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the ten (10) day stay of the order imposed by Bankruptcy Rule 4001(a) (3) be waived.

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